

U.S. Patent Appln No. 09/622,089

Attorney Docket No. 490042-87

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REMARKS**1. Rejection Under 35 U.S.C. §112, 1st**

The Examiner has rejected claims 1-16 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. Specifically, the Examiner stated that Claim 1 recites that the plurality of gas injecting nozzles includes vertical, horizontal and oblique gas injecting nozzles on the gas distributor of one reactor. The Examiner also acknowledged that all three types of nozzles have been disclosed in the specification but all three types used on one gas distributor have not been disclosed. Applicant has amended Claim 1 to delete the references to the horizontal and oblique gas injecting nozzles. Claim 1 now includes only the vertical gas injecting nozzle and Applicant believes that amended Claim 1 obviates the §112, paragraph 1 rejection and in addition distinguishes over the art of record.

Given the Examiner's acknowledgement that the specification discloses all three types of nozzles, Applicant has drafted new independent claim 17 to include a horizontal gas injecting nozzle and independent claim 33 to include an oblique gas injecting nozzle. It is believed that these claims distinguish over the art of record.

2. Objection to the Drawings under 37 C.F.R. §1.83(a).

The Examiner objected to the drawings under 37 C.F.R. §1.83(a) for failing to show every feature of the invention specified in the claims. Specifically, the Examiner objected to the drawings as not showing a gas distributor including vertical, horizontal and oblique gas injecting nozzles on one gas distributor. With the amendments to the claims, it is believed that the Examiner's objection to the drawings is overcome as a vertical nozzle is shown in Fig. 9(a); a horizontal nozzle is shown in Fig. 9(b); and an oblique nozzle is shown in Fig. 9(c).

3. Other Remarks

Applicant notes that the Examiner withdrew her rejection of claims 1-14 under 35 U.S.C. §112, second paragraph with the amendments to Claim 1 presented in the response filed on August 23, 2004. The Examiner also withdrew the object to the specification as Applicant

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provided an Abstract of the Disclosure. Further, the Examiner noted that the rejections under 35 U.S.C. §103 were no longer applicable due to the rejection under §112, first paragraph. Notwithstanding, Applicant believes all claims now distinguish over the art of record and allowance is earnestly solicited.

If the Examiner believes that a teleconference would be of value in expediting the allowance of the pending claims, the undersigned can be reached at the telephone number listed below. This response has been filed within the three-month statutory time for response and it is, therefore, believed that no petition or payment for extension of fees is due. If, however, it is believed that any additional fees are necessary, the Commissioner is hereby authorized to charge or credit any such fees or overpayment to Deposit Account No. (Reference #490042-87).

Dated: 4/11/05

Respectfully submitted,

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